

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

7003/47

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

Unassigned 10/559971

INTERNATIONAL APPLICATION NO.  
PCT/EP2004/006260

INTERNATIONAL FILING DATE  
10 June 2004

PRIORITY DATE CLAIMED  
10 June 2003

TITLE OF INVENTION

USES OF A COMPOUND OF FORMULA 1 FOR MAKING A PHARMACEUTICAL COMPOSITION

APPLICANT(S) FOR DO/EO/US: BIONDI, Ricardo Miguel; ENGEL, Matthias

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☐ Other items or information:

U.S. APPLICATION NO. **10/559971**

INTERNATIONAL APPLICATION NO.  
PCT/EP2004/006260

ATTORNEY'S DOCKET NUMBER  
7003/47

The following fees have been submitted:

**CALCULATIONS PTO USE ONLY**

21. ☒ Basic national fee .....\$300.00

\$ 300.00

22. ☒ Examination fee

If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100.00  
All other situations .....\$200.00

\$ 200.00

23. ☒ Search fee

Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100.00  
International Search Report prepared and provided to the Office.....\$400.00  
All other situations.....\$500.00

\$ 400.00

**TOTAL OF 21, 22 and 23 =**

\$ 900.00

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium).  
The fee is \$250 for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or Fraction thereof (round up to a whole number)	Rate
- 100 =	0 /50 =	0	x \$250

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	12 - 20 =	0	x \$50.00

\$

Independent claims	1 - 3 =	0	x \$200.00
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\$

MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00
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\$ 360.00

**TOTAL OF ABOVE CALCULATIONS =**

\$1390.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$

**SUBTOTAL =**

\$ 695.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).

\$

**TOTAL NATIONAL FEE =**

\$695.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

**TOTAL FEES ENCLOSED =**

\$

Amount to be refunded:

\$

charged:

\$ 695.00

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 50-1047 in the amount of \$695.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1047. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Mayer & Williams, PC  
251 North Avenue West, 2<sup>nd</sup> Floor  
Westfield, NJ 07090

Tel.: 908-518-7700

Fax: 908-518-7795

SIGNATURE

Keum J. Park

NAME

42,059

REGISTRATION NUMBER